

**City Council of the City of New Castle
Special Council Meeting at Town Hall
201 Delaware Street – New Castle
Wednesday – October 30, 2013 – 6:00 p.m.**

Call to order: 6:01 pm

Roll Call:

Councilperson Megginson
Councilperson Cochran
Council President Barthel
Councilperson Petty
Councilperson Vannucci

Also present:

Daniel Losco, City Solicitor

Second Reading of Ordinance No. 491 to amend Ordinance 168 (Code Section - Ch: 58 § 58-2) to modify the manner in which individuals may be removed, for cause from the Planning Commission.

President Barthel read Ordinance No. 491.

The Motion to approve Ordinance 491 was made by Councilperson Megginson and seconded by Councilperson Cochran.

President Barthel read Ordinance No. 491 again being that there was a change in the Ordinance since the first reading.

President Barthel asked the Mr. Losco to explain the change that had been made in the Ordinance.

Mr. Losco stated that since the first public hearing there was public comment objecting to the fact that there would not be due process. This was not the intent, as any action would have to take place in a public meeting where there would be opportunity for comment. The Ordinance has been changed to state that “Any member of the Commission may be removed for cause, after a public hearing, by resolution of City Council,” and this hearing will be conducted by the Mayor.

President Barthel asked if there were any questions or comments, there being none, he called for a vote.

Ordinance No. 491 passed unanimously.

First Reading of Ordinance No. 492 to amend Chapter 64, Section 64-1 relating to the disposal of surplus real property.

President Barthel read Ordinance No. 492.

The Motion to approve Ordinance 492 was made by was Councilperson Megginson and seconded by Councilperson Cochran.

President Barthel asked the Mr. Losco to explain the thinking behind amending the Ordinance.

Mr. Losco explained that this change is the result of monitions actions the City has taken for vacant properties and distressed properties with unpaid code violations. These properties are taken to Sheriffs sale and the City ends up as the high bidder acquiring the title.

As a result the City must now maintain and insure the property and it is removed from the tax base. The hope in amending this ordinance is to streamline the process of disposing of these surplus properties.

When these properties are identified the City must post the property and provide notice of intent to consider a property as surplus. Previously Council had 45 days to take this action; this has been shortened in Section "B" to 30 days.

The next step is to offer the properties to the Trustees or to the Municipal, Services Commission. Previously there was a 30 day deadline for these entities to respond, this has been shortened to 20 days.

The third step has been to have the property appraised and put out for public bid, which requires an additional time delay and expense. As Council has the authority to reject all bids it seemed this phase of the process was a waste of time when the property could have been put on the market for sale.

In the original Ordinance, if the bidding process did not work out then you were free to list the property on the open market. So, in effect we are proposing skipping the whole bidding process and going right to the process of disposing of the property either via a public or private sale.

President Barthel added that in effect the City is trying to get vacant and distressed properties fixed-up and sold so they are back on the tax rolls. The City has been doing this for years, and currently owns two properties, and is looking at an additional 4-6 other properties that are in the same situation. The City would like to have the ability to dispose of them in a timely manor.

The Motion to approve Resolution No. 2013-41, authorizing the Mayor to sign applications for Army Corps of Engineer and DNREC permits pertaining to the New Castle Waterfront Redevelopment Project was made by Councilperson Megginson and seconded by Councilperson Petty.

President Barthel read the resolution.

Mr. Losco stated that to continue with the studies regarding the pier at the end of Delaware Street we now have to start the application process with the Army Corps of Engineers and DEMA. In

order to do so we need an officer of the City to sign the documents. In the absence of a City Administrator, the Mayor has been asked to sign the documents.

Resolution No. 2013-41 passed unanimously.

The motion to adjourn was made by Councilperson Vannucci, seconded by Councilperson Petty and passed unanimously.

Council met in Executive Session to discuss a Personnel Matter.

Respectfully submitted,

Kimberly Burgmuller